

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KEITH DEVINE,**  
**Petitioner,**

**v.**

**DEREK F. OBERLANDER, *et al.*,**  
**Respondents.**

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**CIVIL ACTION NO. 22-CV-1211**

**ORDER**

**AND NOW**, this 3<sup>rd</sup> day of April, 2023, upon consideration of the Amended Petition for Writ of Habeas Corpus (Doc. No. 13), Respondents' Brief in Opposition (Doc. No. 16), and the February 16, 2023 Report and Recommendation of United States Magistrate Judge Scott W. Reid (Doc. No. 17), and noting that Petitioner has not filed any objections to the Report and Recommendation, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** as untimely; and
3. There is no probable cause to issue a certificate of appealability.

**BY THE COURT:**

*/s/ Mitchell S. Goldberg*  
**MITCHELL S. GOLDBERG, J.**